

Notice of Allowability

Application No.

10/542,559

Examiner

Kiran B. Patel

Applicant(s)

SCHEERHORN, DANIEL J.

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/25/07.
2. ☒ The allowed claim(s) is/are 1,3-17 and 19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Examiner's Amendment and
Examiner's Statement of Reasons for Allowance
Allowance (6/27/07)

1. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for the following Examiner's amendment was given in a telephone interview with Attorney Wilke 6/26/07.

2. The claims were further amended to read as follows:

1. (Currently Amended) A vehicle console comprising:

a body;

a cover; and

a pivot arm pivotally coupled to one of the body and the cover, wherein the pivot arm and the other of the body and the cover snap into engagement with one another, wherein the pivot arm includes:

a projection pivotally coupled to said one of the body and the cover;

and

a member having a first planar portion and a second planar portion, wherein at least one of the first planar portion and the second planar portion

Art Unit: 3612

pivots between a closed position in which at least one of the first and second planar portions is mechanically locked to the projection and an open position enabling the projection to be separated from the member, wherein the member engages the body to couple the cover to the body and wherein the body engages the member to retain the member in the closed position.

2. Cancel.
3. (Currently Amended) The console of claim 1, wherein one of the projection and the member includes a detent surface and wherein the other of the projection and the member includes a detent-engaging surface.
4. (Currently Amended) The console of claim 1, wherein the first portion and the second portion pivot about a living hinge.
5. (Currently Amended) The console of claim 4, wherein the first portion is integrally formed as a single unitary body with the second portion.
6. (Currently Amended) The console of claim 1, wherein the projection pivots about an axis and wherein the first portion extends along the projection into close proximity with the axis.
7. (Currently Amended) The console of claim 1, wherein at least a portion of the projection is resilient.
8. (Original) The console of claim 7, wherein the projection is formed from at least one resilient metal.
9. (Original) The console of claim 8, wherein the at least one resilient metal includes Martensite.
10. (Currently Amended) The console of claim 1, wherein the cover includes a rod and wherein the projection at least partially encircles the rod.

11. (Currently Amended) The console of claim 1, wherein the body includes a recess configured to receive the member.
12. (Original) The console of claim 11, wherein the body includes one of a detent surface and a detent-engaging surface in the recess and wherein the member includes the other of a detent surface and a detent-engaging surface.
13. (Original) The console of claim 1, wherein the cover includes an armrest.
14. (Original) The console of claim 1, wherein the pivot arm is pivotally coupled to the cover.
15. (Original) The console of claim 14, wherein the body includes a recess configured to receive the pivot arm.
16. (Original) The console of claim 15, wherein the body includes one of a detent surface and a detent-engaging surface in the recess and wherein the pivot arm includes the other of a detent surface and a detent-engaging surface.
17. (Currently Amended) The console of claim 1, wherein the first and second portions engage opposite sides of the projection.
18. (Cancel)
19. (Currently Amended) The console of claim 1, wherein the member is configured to connect to both the projection and the other of the body and the cover without fasteners and without adhesive.

20-22. Cancel

3. The following is an Examiner's statement of reasons for allowance:

The primary reason for the allowance of the claims in this case, is the inclusion of the limitation "a body; a cover; and a pivot arm pivotally coupled to one of the body and the cover, wherein the pivot arm and the other of the body and the cover snap into engagement with one another, wherein the pivot arm includes: a projection pivotally coupled to said one of the body and the cover; and a member having a first planar portion and a second planar portion, wherein at least one of the first planar portion and the second planar portion pivots between a closed position in which at least one of the first and second planar portions is mechanically locked to the projection and an open position enabling the projection to be separated from the member, wherein the member engages the body to couple the cover to the body and wherein the body engages the member to retain the member in the closed position" in the independent claim, in combination with the other recited limitations in claims supported by this application, which are not found in the prior art of record.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 3612

5. Any inquiry concerning this communication or earlier communications should be directed to Primary Examiner Kiran B. Patel whose telephone number is 571-272-6665. The examiner can normally be reached on M-F from 8:00 to 5:00. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.



Kiran B. Patel, P. E.
Primary Examiner
Art Unit 3612
June 27, 2007